

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
WESTERN DIVISION**

**UNITED STATES OF AMERICA**

**VS.**

**4:97CR00119-1 JMM**

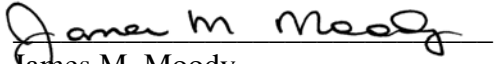
**ANDRE BRASWELL**

**ORDER**

Pending is the Defendant's *pro se* motion to seal his criminal record. (Docket # 33). Defendant requests that his record be sealed so that he can get a better job opportunity and serve his community. In other words, the Defendant seeks to have his record expunged. "[I]n general when a defendant moves to expunge records, she asks that the court destroy or seal the records of the fact of the defendant's conviction and not the conviction itself." *U.S. v. Crowell*, 374 F.3d 790, 792 (9th Cir. 2004) (citing *United States v. Sweeney*, 914 F.2d 1260, 1262 (9th Cir. 1990) ("an expunction order is similar to an order not to report a conviction"); *United States v. Johnson*, 941 F.2d 1102, 1111 (10th Cir. 1991) ("expunge" refers to the physical destruction of information with respect to criminal records).

The Defendant asks the Court to expunge his record because he has fulfilled all the requirements of the Court and seeks a better life. However, federal district courts lack subject matter jurisdiction to expunge a criminal record based solely on equitable grounds. *United States v. Meyer*, 439 F. 3d 855 (8<sup>th</sup> Cir. 2006). Accordingly, Defendant's motion (Docket # 33) is denied.

IT IS SO ORDERED this 18th day of November, 2011.

  
James M. Moody  
United States District Judge